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09/663,094	09/15/2000	Eric Schneider		3485

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ERIC SCHNEIDER  
13944 CEDAR ROAD  
# 258  
UNIVERSITY HEIGHTS, OH 44118

EXAMINER

BRUCKART, BENJAMIN R

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 05/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/663,094

Applicant(s)

SCHNEIDER, ERIC

Examiner

Benjamin R Bruckart

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 28 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 34-53 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 34-54 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

**Detailed Action**

Claims 34-53 are pending in this Office Action.

Claims 1-33 are cancelled.

***Response to Arguments***

Applicant's arguments with respect to claims 18-33 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claim 34-38, 43-49, 52-53 are rejected under 35 U.S.C. 103(a) as being anticipated by U.S. Patent No 6,513,060 by Nixon et al in view of U.S. Publication No. 2002/0156800 by Ong.**

**Claims 39 – 42, 50-51 are rejected under 35 U.S.C. 103(a) as being anticipated by U.S. Patent No 6,513,060 by Nixon et al in view of U.S. Publication No. 2002/0156800 by Ong in further view of U.S. Patent No. 5,933,604 by Inakoshi.**

Regarding claim 34,

The Nixon reference teaches a method for providing notification (Nixon: col. 6, lines 58- col. 7, line 6) comprising:

receiving a request including a URL (Nixon: col. 1, lines 47-49; col. 2, lines 59-63; col. 21, line 30), said request for said providing notification when it is determined that a network resource can be accessed from said URL (Nixon: col. 4, lines 55-64; web page available)

wherein said network resource is not accessible from said URL when said receiving said request including said URL (Nixon: col. 4, lines 43-50; server is unavailable);

determining, at least once, whether said network resource can be accessed from said URL after said start time (Nixon: col. 3, lines 41-54; determine when to be tested, predetermined time); and,

providing said notification when it is determined that said network resource can be accessed from said URL (Nixon: col. 6, lines 58- col. 7, line 28; accessible).

The Nixon reference does not explicitly state generating a time from a portion of the URL.

The Ong reference teaches a system that generating at least one of a start time, end time, polling interval, publishing interval, volume number, and issue number from at least a portion of said URL (Ong: page 1, paragraph 0008).

The Ong reference further teaches the system translates the PURL to a URL that points to the resource by assigning a persistent name to a resource even if the location changes (Ong: page 1, paragraph 0006).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of providing notification when a resource is accessible as taught by Nixon while employing a system to translate date and time information from the URL as taught by Ong in order to assign a persistent name to a resource even if the location of the resource changes (Ong: page 1, paragraph 0006).

Claims 35-38, 43-45 are rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of Nixon et al and Ong.

Regarding claim 35, the method, as set forth in claim 34, wherein said URL includes a static portion (Ong: page 2, paragraph 0017; <http://www.lucent.com>) and further retrieving said static portion from user modifiable configuration settings (Nixon: col. 6, lines 8-33).

Regarding claim 36, the method, as set forth in claim 35, wherein said at least a portion of said URL is a portion other than said static portion (Ong: page 2, paragraph 0017; “?time=2+2+1998”).

Regarding claim 37, the method, as set forth in claim 34, wherein said URL is a first URL and further including generating a second URL from said publishing interval (Nixon: col. 9, line 3) and said first URL (Nixon: col. 1, lines 47-49; col. 2, lines 59-63; col. 21, line 30).

Regarding claim 38, the method, as set forth in claim 34, wherein said determining, at least once, whether said network resource can be accessed from said URL after said start time includes performing a resource access request from said URL after said start time (Nixon: col. 26, lines 17-18; col. 3, lines 41-54; determine when to be tested, predetermined time).

Regarding claim 43, the method, as set forth in claim 42, wherein said providing said notification includes selecting a notification method corresponding to a subscriber (Nixon: col. 4, lines 57-64; control console; lines 31-43).

Regarding claim 44, the method, as set forth in claim 43, wherein said selecting said notification method includes selecting a notification destination from one of a pager, e-mail, web page, television, phone, fax, instant message, and conferencing (Nixon: col. 6, lines 58-67).

Regarding claim 45, the method, as set forth in claim 34, wherein said URL includes a URL component, said URL component including at least one of a year, month, week, day, time, and publishing interval (Ong: page 2, paragraph 0015).

Regarding claim 46, a method for providing notification (Nixon: col. 6, lines 58- col. 7, line 6) comprising:

receiving a request including at least one of a start time, end time, polling interval, publishing interval, volume number, and issue number (Nixon: col. 3, lines 41-54; determine when to be tested, predetermined time), said request not including a URL (negative teaching),

said request for providing notification when it is determined that a network resource can be accessed (Nixon: col. 4, lines 55-64; web page available) after said start time wherein said network resource is not accessible when said receiving said request (Nixon: col. 4, lines 43-50; server is unavailable);

determining, at least once, whether said network resource can be accessed from said URL after said start time (Nixon: col. 3, lines 41-54; determine when to be tested, predetermined time); and,

providing said notification when it is determined that said network resource can be accessed from said URL (Nixon: col. 6, lines 58- col. 7, line 28; accessible).

The Nixon reference does not explicitly state generating a URL.

The Ong reference teaches generating a URL from said at least one of a start time, end time, polling interval, publishing interval, volume number, and issue number before said start time (Ong: page 1, paragraph 0006, 0008; see page 3, paragraphs 0049 - 0051).

The Ong reference further teaches the system translates the PURL to a URL that points to the resource by assigning a persistent name to a resource even if the location changes (Ong: page 1, paragraph 0006).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of providing notification when a resource is accessible as taught by Nixon while employing a system to translate date and time information to a URL as taught by Ong in order to assign a persistent name to a resource even if the location of the resource changes (Ong: page 1, paragraph 0006).

Claims 47-49, 52-53 are rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of Nixon et al and Ong.

Regarding claim 47, the method, as set forth in claim 46, wherein said URL includes a static portion and further retrieving said static portion from user modifiable configuration settings (Nixon: col. 6, lines 8-33).

Regarding claim 48, the method, as set forth in claim 47, wherein said URL is a first URL and further including generating a second URL from said publishing interval and said first URL (Nixon: col. 1, lines 47-49; col. 2, lines 59-63; col. 21, line 30).

Regarding claim 49, the method, as set forth in claim 46, wherein said determining, at least once, whether said network resource can be accessed from said URL after said start time includes performing a resource access request from said URL after said start time (Nixon: col. 26, lines 17-18; col. 3, lines 41-54; determine when to be tested, predetermined time).

Regarding claim 52, the method, as set forth in claim 46, wherein said providing said notification when it is determined that said network resource can be accessed from said URL includes selecting a notification destination from at least one of a pager, e-mail, web page, television, phone, fax, instant message, and conferencing (Nixon: col. 6, lines 58-67).

Regarding claim 53, the method, as set forth in claim 46, wherein said URL includes a URI, component, said URL component including at least one of a year, month, week, day, time, and publishing interval (Ong: page 2, paragraph 0015).

Regarding claim 39,

The Nixon and Ong reference teach the method, as set forth in claim 38, providing notification when a resource is accessible with time information from the URL.

The Nixon and Ong references do not explicitly state a differencing resource method.

The Inakoshi reference teaches wherein said resource access request includes a differencing resource method (Inakoshi: col. 5, lines 64- col. 6, line 4), said differencing resource method including comparing the difference from one of a plurality of file dates, file sizes, and number of files counts from a directory (Inakoshi: col. 12, lines 1-13; col. 13, lines 5-16).

The Inakoshi reference further teaches it makes it possible for a user to know of changes in an existing information resource, eliminating the trouble of repeatedly checking (Inakoshi: col. 1, lines 54-60).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of providing notification when a resource is accessible with date and time information from the URL as taught by Nixon and Ong while employing a differencing method as taught by Inakoshi in order to eliminating the trouble of repeatedly checking resources for updates (Inakoshi: col. 1, lines 54-60).

Claims 40-42 are rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of Nixon et al, Inokoshi and Ong.

Regarding claim 40, the method, as set forth in claim 34, wherein said providing said notification when it is determined that said network resource can be accessed from said URL includes providing said notification from at least one of a hyperlink access (Inakoshi: col. 3, lines 1-5; col. 5, lines 5-11) and automatic access (Inakoshi: col. 5, lines 26-29).

Regarding claim 41, the method, as set forth in claim 40, wherein said hyperlink access includes selecting said hyperlink from at least one of a hyperlink determination method, hyperlink retrieval method, and hyperlink generation method (Nixon: col. 4, lines 31-43).

Regarding claim 42, the method, as set forth in claim 41, wherein said hyperlink determination method includes selecting said differencing resource method, generating at least one hyperlink corresponding to the accessible network resource from said differencing resource method selection (Inakoshi: col. 5, lines 64- col. 6, line 4), and providing said notification having said hyperlink (Inakoshi: col. 3, lines 1-5; col. 5, lines 5-11; Smith: col. 6, line 64).

Regarding claim 50,

The Nixon and Ong reference teach the method, as set forth in claim 49, providing notification when a resource is accessible with time information from the URL.

The Nixon and Ong references do not explicitly state a differencing resource method.

The Inakoshi reference teaches a resource access request includes a differencing resource method (Inakoshi: col. 5, lines 64- col. 6, line 4), said differencing resource method including

comparing the difference from one of a plurality of file dates, file sizes, and number of files counts from a directory (Inakoshi: col. 12, lines 1-13; col. 13, lines 5-16).

The Inakoshi reference further teaches it makes it possible for a user to know of changes in an existing information resource, eliminating the trouble of repeatedly checking (Inakoshi: col. 1, lines 54-60).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of providing notification when a resource is accessible as taught by Nixon and Ong while employing a differencing method as taught by Inakoshi in order to eliminating the trouble of repeatedly checking resources for updates (Inakoshi: col. 1, lines 54-60).

Claim 51 is rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of Nixon et al, Inokoshi and Ong.

Regarding claim 51, the method, as set forth in claim 46, wherein said providing said notification when it is determined that said network resource can be accessed from said URL includes providing said notification from at least one of a hyperlink access (Inakoshi: col. 3, lines 1-5; col. 5, lines 5-11) and automatic access (Inakoshi: col. 5, lines 26-29).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R Bruckart whose telephone number is (703) 305-0324. The examiner can normally be reached on 8:00-5:30 PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (703) 308-6662. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-0324.

Benjamin R Bruckart  
Examiner  
Art Unit 2155

brb  
May 12, 2004

*BRB*

*Hosain Alam*  
HOSAIN ALAM  
SUPERVISORY PATENT EXAMINER